

**IN THE UNITED STATES DISTRICT COURT  
FOR THE MIDDLE DISTRICT OF PENNSYLVANIA**

UGI SUNBURY, LLC,  
  
Plaintiff.

No. 3:16-CV-00794  
  
(Judge Brann)

v.

A PERMANENT EASEMENT FOR  
0.4308 ACRES, AND TEMPORARY  
CONSTRUCTION AND ACCESS  
EASEMENT FOR 0.4577 ACRES IN  
THE BOROUGH OF SHAMOKIN  
DAM, SNYDER COUNTY,  
PENNSYLVANIA TAX PARCEL NO.  
16-04-059,

DONALD D. PONTIUS and  
GEORGIA A. PONTIUS, CO-  
TRUSTEES OF THE DONALD D.  
AND GEORGIA A. PONTIUS LIVING  
TRUST,

BOROUGH OF SHAMOKIN DAM,

COMMONWEALTH OF  
PENNSYLVANIA, DEPARTMENT  
OF TRANSPORTATION,

and ALL UNKNOWN OWNERS,

Defendants.

**ORDER**

**APRIL 24, 2018**

In accordance with the accompanying Memorandum Opinion, **IT IS  
HEREBY ORDERED** that:

1. Plaintiff's Motion to Exclude Defendant's Expert Report and Witness, ECF No. 62, is **DENIED**.
2. Defendant's Motion to Exclude Plaintiff's Expert Witness, ECF No. 66, is **DENIED**.
3. Defendant's Motion to Exclude Plaintiff's Lay Witnesses and Evidence, ECF No. 68, is **DENIED**.
4. Resolution of Defendant's Motion to Apply State Law, ECF No. 64, is **STAYED**.

BY THE COURT:

*s/ Matthew W. Brann*  
Matthew W. Brann  
United States District Judge